

Remarks:

This amendment is submitted in an earnest effort to advance this case to issue without delay.

Independent claim 11 and dependent claim 2 have been canceled and the claims hitherto dependent from claim 11 have been amended to depend from claim 12. Thus this amendment opens up no new issues and in fact reduces the issues, so that entry after Final Action is in order.

Claim 12 is now the main claim in this case. This claim clearly describes a bone screw whose screwthread has, starting from its free end,

- a first screwthread portion 6 extending from the free end 5 toward the screw head 2 forming a generally continuous and smooth cutting edge 7,
- a second screwthread portion 8 extending from the first portion 6 toward the screw head 2 and formed of a plurality of turns each formed with at least one outwardly open recess 9, the recesses being of increasing angular dimension away from the free end 5, and
- a third screwthread portion 10 extending from the second portion 8 toward the screw head 2 and

formed of a plurality of turns each formed with at least one outwardly open recesses 9, all of the recesses of the third portion being of generally the same angular dimension.

Claim 12 has been slightly amended to clarify that the third portion 10 extends as clearly shown in FIGS. 1, 3, and 4 from the second portion 8 to the screw thread 1.

The instant invention is clearly different from that shown in US 6,196,842 of Jorneus. There, as plainly shown in FIG. 1 and described in column 3 at lines 1 to 3, the cutouts 5 and 7 stop part of the way up the shank, and the screwthread extending to the screw head is continuous and uninterrupted, that is formed with no recesses.

Even the figure from Jorneus reproduced in the Action clearly shows that the recesses in what the examiner identifies as the third portion, which does not extend to the screw head but instead ends well short of it, are not of uniform size, but instead get smaller toward the screw head. The tortured reading of the claims on Jorneus does not withstand any scrutiny.

Thus the instant invention as defined in the claims now in the case is clearly allowable under §102 and §103 over Jorneus. Notice to that effect is earnestly solicited.

If only minor problems that could be corrected by means of a telephone conference stand in the way of allowance of this case, the examiner is invited to call the undersigned to make the necessary corrections.

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Enclosure: None.